

of right dates from the filing of same, that such rights shall extend for a period of six months and may be extended by order of the Board of Water Engineers not to exceed a total period of three years and the requisites, conditions and operation of same; providing that the fees paid upon the filing of a presentation may be held for the term thereof or during the period of any extension thereof and be handled according to law, and that all rights under a presentation shall cease at the end of the term thereof unless a permit is issued in pursuance thereof; amending Section 41, Chapter 88, Acts of the Regular Session of the Thirty-fifth Legislature, providing the fees to be paid to the State Board of Water Engineers for the use and benefit of the State in matters pertaining to the conduct of said office, the granting of permits, extensions of time and detailed operations of such office, and the maximum fee to be paid for the appropriation and use of water in accordance with the law; providing that anyone may construct on his own property a dam or reservoir to contain not to exceed fifty acre feet of water without securing a permit therefor; providing that anyone who shall fail to file annual reports as provided by Section 100, Chapter 88, Acts of the Regular Session of the Thirty-fifth Legislature, shall be liable to a penalty therefor not to exceed a maximum of \$150.00; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BLESOE, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your committee on Educational Affairs, to whom was referred

S. B. No. 437, A bill to be entitled "An Act to create Westbrook Independent School District in Mitchell County, Texas, including therein the present Westbrook Independent School District of the said county; providing a board of trustees therefor, etc."

Have had the same under consideration, and I am instructed to report

the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your committee on Educational Affairs, to whom was referred

H. B. No. 556, A bill to be entitled "An Act creating the Orange Independent School District in the county of Orange, State of Texas; defining its boundaries, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your committee on Educational Affairs, to whom was referred

S. B. No. 415.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WITT, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred

S. B. No. 228,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STUART, Chairman.

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Saturday, March 7, 1925.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names:

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Russek.	Wirtz.
Hardin of Kaufman.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Prayer by Dr. Owers of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Bills and Resolutions.

By Senator Price:

S. B. No. 443, A bill to be entitled "An Act creating and incorporating the Naples Independent School District in Morris County, etc."

Read first time and referred to Committee on Educational Affairs.

By Senator Moore of Cooke:

S. B. No. 444, A bill to be entitled "An Act to amend Section four (4) of an Act of the Thirty-fifth Legislature of Texas, passed at the Regular Session thereof, (as found on pages 174 and 175 of the Local and Special Laws and approved March 6, 1917), being 'An Act to amend the charter of the City of Gainesville by creating a board of water commissioners for said city, to be appointed by said city council, and prescribing the powers and duties of such board, relating to the control and disposition of funds derived from the sale of water and repealing all laws in conflict herewith, and declaring an emergency.'"

Read first time and referred to Committee on Towns and City Corporations.

By Senator Pollard:

S. B. No. 445, A bill to be entitled "An Act creating and incorporating the Bullard Independent School Dis-

trict lying in the counties of Smith and Cherokee in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the General Laws governing independent districts; providing that no outstanding indebtedness of the Bullard Independent District be invalidated; providing for the annexation of territory, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Senate Bill No. 350.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 350, A bill to be entitled "An Act granting power to the Railroad Commission of Texas to supervise and control the taking of natural gas from all gas wells in Texas; providing for rules and regulations for the exercise of said power; providing for the enforcement of the provisions here and any rule or regulation of said Railroad Commission made hereunder, and making this law cumulative of all laws regarding the supervision and control of natural gas in the State of Texas."

The bill was read second time and passed to engrossment.

Message From the House.

Hall of the House of Representatives, Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 17, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the U. S. Department of Agriculture in the destruction of rodent pests—prairie dogs, rats, pocket gophers and ground squirrels; and predatory animals—coyotes, wolves, mountain lions, bob-cats and other predatory animals; appropriating funds for such purposes, and declaring an emergency."

S. B. No. 190, A bill to be entitled "An Act to amend Section 6, of Chapter 74, General Laws of the Second Called Session of the Thirty-sixth Legislature, and creating the sand, gravel and shell fund; providing for refund of taxes paid on marl, gravel, shell, or mudshell, by any county,

city, or town, or the State Highway Commission, and providing for the enforcement of the provisions of the Sand, Shell and Gravel Law, and for the establishment and maintenance of fish hatcheries, and repealing of laws in conflict herewith, and declaring an emergency."

H. B. No. 184, A bill to be entitled "An Act to make appropriation to pay the widow of Leroy Derryberry, killed while in the service of the Texas State Highway Department by an employe of the State Highway Department by a collision of their trucks, and declaring an emergency."

H. B. No. 509, A bill to be entitled "An Act to create the Common County Line School District No. 9 in Scurry, Borden and Mitchell Counties, Texas; providing a board of trustees thereof, and vesting said Common County Line School District board of trustees with all the rights, powers, privileges and duties conferred upon county line school districts incorporated under the General Laws of Texas; conferring upon Scurry County jurisdiction over said district; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency."

H. B. No. 552, A bill to be entitled "An Act creating and incorporating the Happy Independent School District in Terry County, Texas, out of territory now composing Happy Common School District No. 11 in said county, as heretofore created, and adding thereto certain territory now within the bounds of the Gomez Independent School District heretofore created by Act of the Legislature, and defining its boundaries."

H. B. No. 602, A bill to be entitled "An Act to fix the term of court for the Sixth Judicial District in Fannin and Lamar Counties; providing for the convening of grand juries in Lamar County; repealing all laws in conflict therewith, and declaring an emergency."

The House has adopted the report of the Free Conference Committee on H. B. No. 218.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bill No. 158.

The Chair laid before the Senate, on second reading,

H. B. No. 158, A bill to be entitled "An Act creating the Eli Independent School District in Hall County, Texas, defining its metes and bounds, providing a board of trustees therefor, for raising revenue, issuing bonds, vesting it with the rights, powers and duties of districts incorporated for school purposes only under the General Laws of the State of Texas; providing for the assumption of the outstanding bonds of the Eli Common School District, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Reid, the constitutional rule requiring bills to be read on three several days was suspended and H. B. 158 put on its third reading and final passage, by the following vote:

Yeas—24.

Berkeley.	Moore of Cooke.
Bledsoe.	Parnell.
Bowers.	Parr.
Davis.	Pollard.
Fairchild.	Real.
Floyd.	Reid.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Witt.
Moore of Hunt.	Wood.

Absent.

Price.	Smith.
Russek.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

H. B. No. 158 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Lewis.
Bledsoe.	Miller.
Bowers.	Moore of Hunt.
Davis.	Moore of Cooke.
Fairchild.	Parnell.
Floyd.	Parr.
Hardin of Erath.	Pollard.
Holbrook.	Real.

Reid.	Ward.
Strong.	Wirtz.
Stuart.	Witt.
Triplett.	Wood.

Absent.

Hardin of Kaufman.	Russek.
Price.	Smith.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 66.

(By Unanimous Consent.)

S. B. No. 66, A bill to be entitled "An Act making an emergency appropriation for the South Texas Teachers College at Kingsville, made necessary by the near approach of the time for the opening of the Summer Session of said college for the year 1925, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 66 put on its third reading and final passage, by the following vote:

Yeas—22.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

Absent.

Hardin of Erath.	Russek.
Hardin of Kaufman.	Smith.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 66 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—22.

Berkeley.	Davis.
Bledsoe.	Fairchild.
Bowers.	Floyd.

Holbrook.	Real.
Lewis.	Reid.
Miller.	Strong.
Moore of Hunt.	Stuart.
Moore of Cooke.	Triplett.
Parnell.	Ward.
Parr.	Witt.
Pollard.	Wood.

Absent.

Hardin of Erath.	Russek.
Hardin of Kaufman.	Smith.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 230.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 230, A bill to be entitled "An Act making an appropriation for the purchase of certain lands for the College of Industrial Arts at Denton, Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 230 put on its third reading and final passage, by the following vote:

Yeas—22.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

Absent.

Hardin of Erath.	Russek.
Hardin of Kaufman.	Smith.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 230 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—22.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

Absent.

Hardin of Erath.	Russek.
Hardin of Kaufman.	Smith.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Joint Resolution No. 4.

Senator Moore of Hunt moved that S. J. R. No. 4 be laid on the table subject to call.

The motion was adopted.

Senate Bill No. 283.

The Chair laid before the Senate, on third reading,

S. B. No. 283, A bill to be entitled "An Act to increase and provide for the salary of the superintendent of public instruction of Limestone County, Texas, providing for office expenses, traveling expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 334.

The Chair laid before the Senate, on third reading,

S. B. No. 334, A bill to be entitled "An Act amending Article 5988, Title 96, Revised Civil Statutes of Texas, 1911, as amended by Chapter 31, General Laws of the Thirty-eighth Legislature, Second Called Session, 1923, relating to the bond of county treasurer as treasurer of the navigation district so that said Article shall provide for the bond to cover all funds in the hands of the treasurer of said district and so as to provide for the conditions and approval of said bond and so as to provide for a district depository; pro-

viding that all laws, or parts of laws, in conflict herewith, are repealed, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 355.

The Chair laid before the Senate, on third reading,

S. B. No. 355, A bill to be entitled "An Act to authorize water improvement districts or conservation and reclamation districts which are or may be operating under contract with the United States Government or any department thereof, to acquire, construct, operate, lease or otherwise control, use or employ steam and water power facilities and plants for the generation, distribution and supply of electrical energy; giving them authority to incur indebtedness for the accomplishment of such purposes, subject to the regulations, terms, conditions and provisions of Chapter 87, General Laws Thirty-fifth Legislature, Regular Session, relating to issuance and sale of bonds, and of the Acts amendatory thereof and supplementary thereto; authorizing such districts to contract with districts organized under the laws of other states; authorizing the joint acquisition, operation and control of such plants and facilities by such districts; authorizing contracts between said districts to accomplish the purposes authorized by this Act; requiring ratification of such contracts by the legally qualified voters of such district, and prescribing the method of entering into such contracts; authorizing such districts to sell or lease power to municipal and other corporations, firms or individuals; authorizing the establishment of a joint office for two or more such districts and the employment of a general manager, and declaring an emergency."

The bill was read third time, and Senator Berkeley offered the following amendment, which was adopted by two-third vote:

Amend S. B. No. 355, Section 1, page 2, line 14, by inserting after the word "therefor," the following:

"Or enter into contract with the United States for the repayment thereof."

The bill was read third time and passed finally.

Senate Bill No. 377.

The Chair laid before the Senate, on third reading,

S. B. No. 377, A bill to be entitled "An Act creating the Willamar Independent School District in Willacy County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of five persons; and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Erath. Russek.
Hardin of Kaufman. Wirtz.
Price.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 378.

The Chair laid before the Senate, on third reading,

S. B. No. 378, A bill to be entitled "An Act creating the Lasara Independent School District in Willacy County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon

said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of five persons; providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Erath. Russek.
Hardin of Kaufman. Wirtz.
Price.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 222.

The Chair laid before the Senate, on third reading,

S. B. No. 222, A bill to be entitled "An Act to prevent unnecessary noises in the operation of motor vehicles and motorcycles on the public highways; making it an offense to operate on any public highway or street in this State a motor vehicle or motorcycle not equipped with a muffler or equipped with a muffler cutout; defining the term "muffler"; defining the term "muffler cutout"; prescribing penalties for violation of the Act, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 366.

The Chair laid before the Senate, on third reading,

S. B. No. 366, A bill to be entitled "An Act extending the boundaries of the Blessing Independent School District, etc."

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

Absent.

Hardin of Kaufman	Russek.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 403.

The Chair laid before the Senate, on third reading,

S. B. No. 403, A bill to be entitled "An Act to amend Section 3, Chapter 81, of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, same being a special road law for Young County, by adding thereto Section 2a, to permit the issuance of bonds by Young County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

Absent.

Hardin of Kaufman	Russek.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 415.

The Chair laid before the Senate, on third reading,

S. B. No. 415, A bill to be entitled "An Act to amend Chapter 117 of the General Laws of the Regular Session of the Thirty-eighth Legislature, so as to make proper disposition of intoxicating liquor seized and authorized to be destroyed by court order, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman	Stuart.
Moore of Hunt.	Wirtz.
Russek.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 416.

The Chair laid before the Senate, on third reading,

S. B. No. 416, A bill to be entitled "An Act creating the Huntington Independent School District, in Angelina County, including within the bounds of said district the present Huntington Independent School District, defining the boundaries of said district, validating certain schoolhouse bonds authorized and issued by the present, etc."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman.Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 424.

The Chair laid before the Senate, on third reading,

S. B. No. 424, A bill to be entitled "An Act to amend Section 1 of Chapter 18, Special Laws of the Thirty-eighth Legislature, Third Called Session, the same being entitled 'An Act to amend Section 1, of the H. B. No. 115, enacted by the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, amending and revising the metes and bounds of the Miami Independent School District in Roberts County, adding additional territory thereto, and exempting same from present outstanding bonded indebtedness of said Miami Independent School District, continuing the present trustees in office, validating levies of taxes heretofore made, and declaring an emergency,' so that the said section shall hereafter read as herein set out, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman.Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 425.

The Chair laid before the Senate, on third reading,

S. B. No. 425, A bill to be entitled "An Act creating and establishing Sweeney Independent School District in Brazoria County, Texas; defining and describing it by metes and bounds; providing for election of trustees thereof; providing for it to assume the outstanding indebtedness of Sweeney Independent School District as heretofore created; vesting in it the title to all school property situated therein; providing for the government thereof as under the General Laws applicable to towns and villages incorporated for free school purposes only; providing for the extension of boundaries thereof; validating outstanding schoolhouse bonds and tax levies and assessments, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman.Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 426.

The Chair laid before the Senate, on third reading,

S. B. No. 426, A bill to be entitled "An Act to create a more efficient

road system for Travis County, Texas, etc."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman.Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 430.

The Chair laid before the Senate, on third reading,

S. B. No. 430, A bill to be entitled "An Act to amend Section 19, of Chapter 5, Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for San Jacinto County, Texas, by adding thereto Section 19a to permit the issuance of bonds by said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1925, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman.Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 432.

The Chair laid before the Senate, on third reading,

S. B. No. 432, A bill to be entitled "An Act creating and establishing West University Place Independent School District, in Harris County, Texas, defining and describing it by metes and bounds, providing for the government thereof, providing for the election of trustees therefor, providing for the government thereof as under the General Laws in all matters not otherwise specially provided herein, providing for the extension of boundaries thereof, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman.Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 125.

The Chair laid before the Senate, on third reading,

S. B. No. 125, A bill to be entitled "An Act amending Article 5122 of the Revised Civil Statutes of 1911, relating to the appointment of jury commissioners by district courts, and prescribing their qualifications, so as to provide for the appointment by said courts of not less than three nor more than five such commissions, and declaring an emergency."

The bill was read third time and passed finally.

Senate Joint Resolution No. 18.

The Chair laid before the Senate, on third reading.

S. J. R. No. 18, A joint resolution of the Legislature of the State of Texas, proposing to amend Section 4, Article 5, of the Constitution of the State of Texas, so that it shall hereafter provide for five judges of the Court of Criminal Appeals.

The resolution was read third time and passed finally, by the following vote:

Yeas—22.

Berkeley.	Parnell.
Bledsoe.	Parr.
Davis.	Pollard.
Fairchild.	Real.
Floyd.	Reid.
Hardin of Erath.	Smith.
Holbrook.	Strong.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

Absent.

Bowers.	Russek.
Hardin of Kaufman.	Stuart.
Price.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 420.

The Chair laid before the Senate, on third reading,

S. B. No. 420, A bill to be entitled "An Act to create the Willis Independent School District in Montgomery County, Texas, defining its boundaries; providing for the election of trustees; providing for the retention in office of the present board of trustees of the Willis Independent School District; providing for the abolition of all other boards of trustees of any school district included within the district hereby created; providing for the raising of revenue, issuing bonds and maintaining public free schools; providing for means of transportation of the school children in said district; validating all issues of bonds heretofore voted and made; declaring valid and continuing in force all maintenance taxes heretofore voted and levied; providing for an election to determine (1) whether the entire district herein created as a whole shall assume all outstanding bonded indebtedness, and (2) whether all property within the Willis Independent School District as created by this Act shall be subject to all special school taxes heretofore voted and levied by the Willis Independent School District; repealing all laws in conflict with this Act, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—21.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Holbrook.	Strong.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Bowers.	Russek.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Wirtz.
Parr.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 98.

The Chair laid before the Senate, on third reading,

S. B. No. 98, A bill to be entitled "An Act making an appropriation to carry into effect the provisions of Chapter 41, General Laws of the First Called Session of the Thirty-seventh Legislature, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—21.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Holbrook.	Strong.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Bowers. Russek.
Hardin of Erath. Stuart.
Hardin of Kaufman. Wirtz.
Parr.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 272.

The Chair laid before the Senate,
on third reading,

S. B. No. 272, A bill to be entitled
"An Act amending Section 4 of Chap-
ter 29 of the General Laws of the
Second Called Session of the Thirty-
eighth Legislature so as to exempt
from the inheritance tax therein pro-
vided bequests and devices passing
to public charities, and declaring an
emergency."

The bill was read third time and
passed finally, by the following vote:

Yeas—21.

Berkeley. Parnell.
Bledsoe. Pollard.
Bowers. Price.
Davis. Real.
Fairchild. Smith.
Floyd. Strong.
Holbrook. Triplett.
Lewis. Ward.
Miller. Witt.
Moore of Hunt. Wood.
Moore of Cooke.

Absent.

Hardin of Erath. Russek.
Hardin of Kaufman. Stuart.
Parr. Wirtz.
Reid.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 383.

The Chair laid before the Senate,
on third reading,

S. B. No. 383, A bill to be entitled
"An Act to increase and fix the sal-
ary of the superintendent of public
instruction of Harris County, Texas;
providing for office and traveling ex-
penses; repealing all laws and parts
of laws in conflict herewith, and de-
claring an emergency."

The bill was read third time and
passed finally, by the following vote:

Yeas—22.

Berkeley. Parnell.
Bledsoe. Pollard.
Bowers. Price.
Davis. Real.
Fairchild. Reid.
Floyd. Smith.
Holbrook. Strong.
Lewis. Triplett.
Miller. Ward.
Moore of Hunt. Witt.
Moore of Cooke. Wood.

Absent.

Hardin of Erath. Russek.
Hardin of Kaufman. Stuart.
Parr. Wirtz.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 414.

The Chair laid before the Senate,
on third reading,

S. B. No. 414, A bill to be entitled
"An Act creating the Ben Franklin
Independent School District in Delta
County, Texas; defining its bounda-
ries; providing for a board of trus-
tees for said district; conferring upon
said district and its board of trustees
all the rights, powers, privileges and
duties now conferred and imposed by
the General Laws of Texas upon in-
dependent school districts and the
boards of trustees thereof, including
petition to extend its boundaries;
providing that all bonds heretofore
voted in said district shall remain in
full force and effect against said dis-
trict which voted the same, etc"

The bill was read third time and
passed finally, by the following vote:

Yeas—25.

Berkeley. Parr.
Bledsoe. Pollard.
Bowers. Price.
Davis. Real.
Fairchild. Reid.
Floyd. Smith.
Hardin of Erath. Strong.
Holbrook. Stuart.
Lewis. Triplett.
Miller. Ward.
Moore of Hunt. Witt.
Moore of Cooke. Wood.
Parnell.

Absent.

Hardin of Kaufman. Wirtz.
Russek.

Absent.

Bailey. Woodward.
Murphy.

Senate Bill No. 407.

The Chair laid before the Senate, on third reading,

S. B. No. 407, A bill to be entitled "An Act making appropriation to pay the salaries of the judges of the One Hundred and First and One Hundred and Second Judicial Districts, created by the passage of H. B. No. 57 and S. B. No. 149 at the Regular Session of the Thirty-ninth Legislature, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 436.

The Chair laid before the Senate, on third reading,

S. B. No. 436, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba County Special Road Law, by adding thereto Section 2a, to permit the issuance of bonds by San Saba County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 338.

Senator Wood asked unanimous consent to take up, out of its order, S. B. No. 338. There was objection, and Senator Wood moved to take up the bill out of its order, which motion was adopted, by the following vote:

Yeas—21.

Berkeley.	Moore of Cooke.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wood.
Moore of Hunt.	

Nays—1.

Parnell.

Absent—Excused.

Bailey.	Stuart.
Hardin of Kaufman Wirtz.	
Murphy.	Witt.
Parr.	Woodward.
Russek.	

The Chair laid before the Senate, on second reading,

S. B. No. 338, A bill to be entitled "An Act amending Article 3785 of the Revised Civil Statutes of 1911; providing that the homestead of the family, all household and kitchen furniture, any lot or lots in a cemetery held for the purpose of sepulture, all implements of husbandry,

all tools, apparatus and books belonging to any trade or profession, the family library, and all family portraits and pictures, five milk cows and their calves, two yoke of work oxen, with necessary yokes and chains, two horses and one wagon, one carriage or buggy, other than a motor vehicle or an electric vehicle, one gun, twenty hogs, twenty head of sheep, all saddles, bridles and harness necessary for the use of the family, all provisions and forage on hand for home consumption, and all current wages for personal services shall be reserved to every family, exempt from attachment or execution and every other species of forced sale for the payment of debts, except as herein provided, and declaring an emergency."

Senator Fairchild made the point of order that the Supreme Court had held that an automobile was a carrier and that the subject matter of the bill was not a proper legislative matter.

The Chair overruled the point of order.

The bill was then read second time and failed to pass to engrossment, by the following vote:

Yeas—9.

Berkeley.	Real.
Bledsoe.	Stuart.
Bowers.	Witt.
Davis.	Wood.
Pollard.	

Nays—12.

Fairchild.	Price.
Floyd.	Reid.
Holbrook.	Smith.
Moore of Hunt.	Strong.
Moore of Cooke.	Triplett.
Parnell.	Ward.

Absent.

Hardin of Erath.	Parr.
Hardin of Kaufman.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

(Pairs Recorded.)

Senator Miller (present), who would vote nay; with Senator Wirtz (absent), who would vote yea.

Senator Lewis (present), who would vote nay; with Senator Russek (absent), who would vote yea.

Senate Bill No. 365.

The Chair laid before the Senate, on third reading,

S. B. No. 365, A bill to be entitled "An Act extending the boundaries of the Markham Independent School District, enlarging the same and defining its boundaries, and providing that the management and control of all public free schools within said enlarged district shall be vested in the present board of public school trustees of the Markham Independent School District and their successors in office, etc."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman	Wirtz.
Russek.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 421.

The Chair laid before the Senate, on third reading,

S. B. No. 421, A bill to be entitled "An Act to amend Section 7, Chapter 87, H. B. No. 428, Special Act of the Thirty-fourth Legislature, approved and made a law on March 23, 1915, incorporating Comanche Independent School District in Comanche County, Texas, so that it shall be the duty of the board of trustees of said district to order an election to determine whether there shall be levied, assessed and collected upon all taxable property within said district a tax not to exceed the rate of one dollar and fifty cents on the one hundred dollar valuation of such property in such district for the purpose of supplementing State school

funds apportioned to said district, in lieu of the rate of fifty cents, for said purpose, on the one hundred dollar valuation as provided in Section 7 of said Act, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 427.

The Chair laid before the Senate, on third reading,

S. B. No. 427, A bill to be entitled "An Act to empower and direct the Governor of the State of Texas, with the consent of the City of Austin, to cancel the lease heretofore made by the State of Texas to the City of Austin of certain land lying between the Colorado River and Outlots One (1) and Eleven (11) in Division "Z," in the City of Austin, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 433.

The Chair laid before the Senate, on third reading,

S. B. No. 433, A bill to be entitled "An Act validating Common School District No. 5 of Gaines County, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 371.

The Chair laid before the Senate, on third reading,

S. B. No. 371, A bill to be entitled "An Act creating a special road law for Cottle County, Texas, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Bill No. 380.

The Chair laid before the Senate, on third reading,

S. B. No. 380, A bill to be entitled "An Act creating the Orange Independent School District in the County of Orange, State of Texas; defin-

ing its boundaries; providing for the addition of contiguous territory, and divesting the bodies politic now controlling the same of the title to all the territory within this Act as described, and divesting the same in the Orange Independent School District; providing for the personnel and election of a board of trustees to manage and control the public free schools within said districts, and in vesting the said district with the rights, powers, privileges and duties of a city, town or village incorporated for free school purposes only under the General Laws; continuing the tax heretofore voted, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Senate Joint Resolution No. 9.

The Chair laid before the Senate, on third reading,

S. J. R. No. 9, A joint resolution "Relating to the amending of Article 16, Section 58, of the Constitution of the State of Texas, abolishing the Board of Prison Commissioners: providing for the supervision and management of the prison system, under such laws as may be provided for by the Legislature."

The resolution was read third time and passed finally, by the following vote:

Yeas—22.

Bledsoe.	Floyd.
Bowers.	Hardin of Erath.
Davis.	Holbrook.
Fairchild.	Lewis.

Miller.	Smith.
Moore of Cooke.	Strong.
Parnell.	Stuart.
Pollard.	Triplett.
Price.	Ward.
Real.	Witt.
Reid.	Wood.

Absent.

Berkeley.	Parr.
Hardin of Kaufman	Russek.
Moore of Hunt.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 284.

The Chair laid before the Senate, on third reading,

S. B. No. 284, A bill to be entitled "An Act to vest in the University of Texas the title to the property near the intersection of Nineteenth Street and East Avenue in the City of Austin, Texas, consisting of Outlots Nos. Sixty-four (64) and Seventy-one (71) of Division "E" of said City of Austin, Travis County, Texas, and being the property formerly occupied by the State Blind Asylum, including all improvements, furnishings and fixtures thereon situated; and repealing all laws and parts of laws in conflict herewith."

The bill was read third time and passed finally.

House Bill No. 233.

(By Unanimous Consent.)

Senator Stuart asked unanimous consent for the Senate rule requiring committee reports to lay over for one day be suspended. There was no objection.

The Chair laid before the Senate, on second reading,

H. B. No. 433, A bill to be entitled "An Act to increase the jurisdiction of the county court of Tarrant County for civil cases and conferring upon said court criminal jurisdiction in certain cases; to provide for the filing of civil and criminal cases in both the county court of Tarrant county for civil cases and the county court at law of Tarrant County, and the transfer of cases into and between said courts; to fix the salaries of the judges of the county court of Tarrant County for civil cases and the county court at law of Tarrant County; to change the

designation of said last named courts; providing a saving clause, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Stuart, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 233 put on its third reading and final passage, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

H. B. No. 233 was laid before the Senate, read third time, and passed finally.

Senate Bill No. 4.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 44, A bill to be entitled "An Act to relinquish, quit claim and grant unto all incorporated cities and towns within the State of Texas beds and channels of all rivers, streams and other channels that are now or that may hereafter be within the present or future corporate limits of such incorporated cities and towns so far as such river beds, streams and other channels may be owned or claimed as the property of said State, and declaring an emergency."

The committee report, with substitute bill, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. No. 44 put on its third reading and final passage, by the following vote:

Yeas—21.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Bowers. Russek.
Hardin of Kaufman Wirtz.
Moore of Hunt. Witt.
Parr.

Absent—Excused.

Bailey. Woodward.
Murphy.

S. B. No. 44 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—23.

Berkeley.	Parnell.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wood.
Moore of Cooke.	

Absent.

Hardin of Kaufman Wirtz.
Parr. Witt.
Russek.

Absent—Excused.

Bailey. Woodward.
Murphy.

Call of the Senate.

At 11:15 o'clock a. m. Senator Bledsoe moved a call of the Senate for the purpose of securing and maintaining a quorum until 12 o'clock today.

The motion was seconded, and Senator Strong moved that the Sergeant-at-Arms bring in such absentees as are in the city, and the motion was adopted.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has rejected the report of the Free
Conference Committee on S. B. No.
3, and instructs the committee on
part of the House to confer further
with the committee on part of the
Senate in an attempt to adjust the
differences.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bill No. 281.

Senator Reid called from the
table,

H. B. No. 281, A bill to be entitled
"An Act to provide for the inspection
and standardizations of junior col-
leges, teachers' colleges, colleges and
universities of the first class; pre-
scribing fees to be paid by teachers
securing certificates based on work
done in such institutions; repealing
all laws in conflict herewith, and
declaring an emergency."

The bill was read second time and
passed to engrossment.

On motion of Senator Reid, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 281 put on
its third reading and final passage,
by the following vote:

Yeas—23.

Berkeley.	Parnell.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wood.
Moore of Cooke.	

Absent.

Hardin of Kaufman.	Wirtz.
Parr.	Witt.
Russek.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

50—Senate

H. B. No. 281 was laid before the
Senate, read third time, and passed
finally, by the following vote:

Yeas—21.

Berkeley.	Parnell.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wood.
Moore of Cooke.	

Nays—1.

Moore of Hunt.

Absent.

Hardin of Kaufman.	Russek.
Parr.	Wirtz.
Pollard.	Witt.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 296.

The Chair laid before the Senate,
on second reading,

S. B. No. 296, A bill to be entitled
"An Act to authorize the judge of
any district court or other court
having jurisdiction, to appoint a re-
ceiver or receivers of any defunct or
disorganized church or congrega-
tion, and authorizing the manage-
ment and sale of all such properties,
real, personal, mixed and choses in
action and authorizing such court,
in such cases where such church or
congregation may not in the judg-
ment of such court be reorganized
within a reasonable time, to deliver
such property or its proceeds to a
church or congregation, a governing
body or ecclesiastical head, or State
missionary society of like faith and
order to be expended for the use and
benefit of a church, churches, or
communion of like faith and order,
and declaring an emergency."

The bill was read second time and
passed to engrossment.

On motion of Senator Holbrook,
the constitutional rule requiring bills
to be read on three several days was
suspended and S. B. No. 296 put on
its third reading and final passage,
by the following vote:

Yeas—23.

Berkeley.	Parnell.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wood.
Moore of Cooke.	

Absent.

Hardin of Kaufman	Wirtz.
Parr.	Witt.
Russek.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 296 was laid before the Senate, read third time, and passed finally.

Senate Bill No. 211.

Senator Lewis called from the table.

S. B. No. 211, A bill to be entitled "An Act to require payment of bonds and coupons promptly at the place of maturity, and declaring an emergency."

The committee report, with amendments, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 211 put on its third reading and final passage, by the following vote:

Yeas—24.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Parnell.	Wood.

Absent.

Hardin of Kaufman	Russek.
Moore of Cooke.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 211 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Hardin of Erath.	Smith.
Holbrook.	Strong.
Lewis.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Witt.
Parnell.	Wood.

Absent.

Floyd.	Russek.
Hardin of Kaufman	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 271.

Senator Parr moved to reconsider the vote by which S. B. No. 271 failed of engrossment on yesterday, and spread the motion to reconsider on the Journal.

Senate Bill No. 351.

The Chair, by unanimous consent, laid before the Senate on second reading

S. B. No. 351, A bill to be entitled "An Act setting aside all lands owned by the State of Texas and the Prison Commission of Texas, located in Cherokee County, for the reforestation purposes to be used for such purposes by the Agricultural and Mechanical College, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 351 put on its third reading and final passage, by the following vote:

Yeas—25.

Berkeley.	Davis.
Bledsoe.	Fairchild.
Bowers.	Floyd.

Hardin of Erath.	Real.
Holbrook.	Reid.
Lewis.	Smith.
Miller.	Strong.
Moore of Hunt.	Stuart.
Moore of Cooke.	Triplett.
Parnell.	Ward.
Parr.	Witt.
Pollard.	Wood.
Price.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 351 was laid before the Senate, read third time and passed finally.

Senate Bill No. 287.

The Chair laid before the Senate, on second reading,

S. B. No. 287, A bill to be entitled "An Act to amend Chapter 3 of Title 118 of the Revised Civil Statutes of Texas of 1911, relating to the filing of notice of pendency of suit, by adding thereto Article 6840 ½, so as to provide for the cancellation of such notice of pendency of suit by the court in which the suit action is pending, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 287 put on its third reading and final passage, by the following vote:

Yeas—25.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 287 was laid before the Senate, read third time and passed finally.

Simple Resolution No. 56.

By Senator Wood:

Whereas, the Senate has finally passed S. B. No. 381, and desires to further consider said bill, therefore

Be it resolved, that the House be and it is hereby requested to return said bill for further consideration.

The resolution was read and adopted.

Senate Bill No. 304.

Senator Holbrook asked unanimous consent to take up S. B. No. 304 and there was objection.

Senator Holbrook then moved to suspend the regular order of business and take up S. B. No. 304, which motion was lost, by the following vote:

Yeas—10.

Bledsoe.	Miller.
Fairchild.	Parnell.
Floyd.	Parr.
Hardin of Erath.	Strong.
Holbrook.	Ward.

Nays—15.

Berkeley.	Real.
Bowers.	Reid.
Davis.	Smith.
Lewis.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Witt.
Pollard.	Wood.
Price.	

Absent.

Hardin of Kaufman Wirtz.
Russek.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 268.

The Chair laid before the Senate, on third reading,

S. B. No. 268, A bill to be entitled "An Act to amend Sections 1, 3 and 5 of Chapter 163 of an Act of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919,

relating to the advertisement and sale of public free school and asylum land, and adding another section providing for validating sales held by the Supreme Court to be void and other sales; allowing forfeiting owners six months in which to redeem their forfeited lands, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Witt.
Parnell.	Wood.
Parr.	

Present—Not Voting.

Lewis.

Absent.

Hardin of Kaufman	Russek.
Holbrook.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 340.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

S. B. No. 340, A bill to be entitled "An Act fixing the compensation of county commissioners in counties of judicial districts comprised of two counties on January 1, 1925, having a total population within said districts of not less than thirty-five thousand, nor more than forty-one thousand inhabitants according to the last United States census, and which have an aggregate area of not less than 1,890 square miles, according to the records of the General Land Office of Texas, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Recess.

On motion of Senator Wood, the Senate, at 12 m. o'clock, recessed until 2 o'clock p. m. today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

Senate Bill No. 290.

The Chair laid before the Senate, on second reading,

S. B. No. 290, A bill to be entitled "An Act to amend Section 2, Chapter 185 of the Acts of the Regular Session of the Thirty-eighth Legislature of the State of Texas, pertaining to the business of private banks, so as to eliminate the retroactive feature of said Act, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 177.

The Chair laid before the Senate, on second reading,

S. B. No. 177, A bill to be entitled "An Act to amend Article 1984a, the Regular Session of the Legislature of 1913, so as to provide that causes may be submitted on special issues upon the request of both parties in writing, and providing further that a court upon the written request of either party shall define in its charge to the jury the legal effect of the findings of the jury on any special issue submitted to it, and providing further that counsel shall have the right to discuss the legal effect of such findings to the jury, and declaring an emergency."

The bill was read second time on February 10, and after discussion, Senator Witt moved that the further consideration of the bill be indefinitely postponed, which motion was lost.

The bill was then passed to engrossment.

Senate Bill No. 228.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 228, A bill to be entitled "An Act authorizing any city, town or village incorporated under the General Laws of the State of Texas, and having a population of not more than 2,500 inhabitants, according to the United States census of 1920, to disannex a portion of territory located within the limits of any such city, town or village, upon receipt of

a petition requesting such disannexation signed by two-thirds or more of the qualified voters located within such territory, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 228 put on its third reading and final passage, by the following vote:

Yeas—22.

Berkeley.	Parnell.
Bledsoe.	Parr.
Davis.	Pollard.
Fairchild.	Price.
Floyd.	Real.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wood.

Absent.

Bowers.	Russek.
Miller.	Wirtz.
Reid.	Witt.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 228 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—22.

Berkeley.	Parr.
Bledsoe.	Pollard.
Davis.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Moore of Hunt.	Ward.
Parnell.	Wood.

Absent.

Bowers.	Russek.
Miller.	Wirtz.
Moore of Cooke.	Witt.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 291.

The Chair laid before the Senate, on second reading,

S. B. No. 291, A bill to be entitled "An Act making it unlawful for any person to drive or propel any automobile, truck, or, other motor driven vehicle upon the track of any railroad, operated by a steam railroad company or the receiver thereof, or operated by an interurban railroad company or the receiver thereof, at the place of the crossing of any public road or streets at grade, without stopping at a distance of not less than twenty feet nor more than fifty feet from the nearest railroad and looking and listening; providing that the Act shall not apply in certain cases; provide for crossing signs, etc."

The committee amendment to the bill was read and adopted.

Senator Stuart moved that the further consideration of the bill be indefinitely postponed.

The motion was lost by the following vote:

Yeas—12.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Reid.
Fairchild.	Smith.
Hardin of Kaufman	Stuart.
Moore of Cooke.	Wood.

Nays—12.

Bowers.	Parr.
Floyd.	Real.
Hardin of Erath.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Parnell.	Witt.

Absent.

Miller.	Russek.
Moore of Hunt.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

The vote being a tie, the Chair, Lieutenant Governor Miller, voted "no" and declared the motion lost.

Senator Holbrook offered the following amendment, which was read and adopted:

Amend Caption of S. B. No. 291 by eliminating therefrom the following language:

"Providing that failure to stop, look and listen, shall not be negligence per se but shall be considered with all other facts and circumstances in determining the issue of contributory negligence."

And substituting therefor the following:

"Providing that in actions to recover damages for injuries or death from accident or collision at crossings contributory negligence including any violation of Statute or ordinance shall not bar a recovery but shall be taken in diminution of damages in proportion to the amount of the negligence of the injured party or the deceased?"

Senator Stuart offered the following amendment:

Amend S. B. No. 291 by adding thereto a new Section immediately preceding the emergency clause as follows:

"That it shall be unlawful for any engineer or motorman or any person to drive or propel any steam, electrical or motor driven vehicle across or upon any State highway in the State of Texas without first bringing said train to a full stop, a distance of not less than twenty feet nor more than fifty feet from the nearest edge of the highway and looking and listening for approaching automobiles.

On motion of Senator Holbrook the amendment was tabled.

Senator Stuart offered the following amendment:

Amend S. B. No. 291 by striking out all of Section 5 of the printed bill and renumbering the following sections accordingly.

Senator Holbrook moved to table the amendment, which motion was adopted by the following vote:

Yeas—13.

Berkeley.	Real.
Bowers.	Smith.
Floyd.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Parnell.	Witt.
Price.	

Nays—10.

Bledsoe.	Parr.
Davis.	Pollard.
Fairchild.	Reid.
Hardin of Kaufman.	Stuart.
Moore of Cooke.	Wood.

Absent.

Hardin of Erath.	Russek.
Miller.	Wirtz.
Moore of Hunt.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

After discussion, Senator Price moved that the bill be laid on the table subject to call, which motion was adopted by the following vote:

Yeas—17.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Kaufman.	Stuart.
Lewis.	Wood.
Moore of Cooke.	

Nays—6.

Holbrook.	Triplett.
Parnell.	Ward.
Strong.	Witt.

Absent.

Hardin of Erath.	Russek.
Miller.	Wirtz.
Moore of Hunt.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 177.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 177 put on

its third reading and final passage, by the following vote:

Yeas—22.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Moore of Cooke.	Ward.
Parnell.	Witt.
Parr.	Wood.

Absent.

Floyd.	Moore of Hunt.
Hardin of Erath.	Russek.
Miller.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

S. B. No. 177 was laid before the Senate, read third time, and Senator Witt moved that the further consideration of the bill be indefinitely postponed.

The motion was lost.

The bill was finally passed, by the following vote:

Yeas—18.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Holbrook.	Smith.
Lewis.	Strong.
Moore of Cooke.	Stuart.
Parnell.	Triplett.
Parr.	Ward.

Nays—3.

Davis.	Witt.
Hardin of Kaufman.	

Present—Not Voting.

Floyd.

Absent.

Hardin of Erath.	Russek.
Miller.	Wirtz.
Moore of Hunt.	Wood.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

**Free Conference Report on House
Bill No. 101.**

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate; Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed by your respective bodies to consider the amendment of the Senate to H. B. No. 101, and adjust the differences between the Senate and the House, have had the same under consideration and beg to report as follows:

First: We recommend that the Senate Committee substitute to H. B. No. 101 be adopted with the following amendments:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That a permanent Textbook Commission for the State of Texas is hereby authorized and styled 'The Texas State Textbook Commission.' The commission shall be constituted as follows: The State Superintendent of Public Instruction, the President of the College of Industrial Arts, and the President of the Southwest Texas State Normal, the President of the University of Texas, the President of the A. & M. College, acting together as a committee, shall immediately after this Act takes effect and biennially thereafter, after the 15th day of January and not later than the 15th day of February, submit to the Governor of this State the names of thirteen (13) teachers of recognized scholarship and professional standing, who have been actively and continuously engaged in teaching or supervision in the public schools of this State for the past five years and who have State permanent primary or State permanent certificate, together with the names of two experienced business men; said thirteen teachers shall represent as nearly as possible every phase of public school work, and it shall be the duty of the Governor to select six teachers therefrom and one business man who shall with the Governor and the State Superintendent of Public Instruction constitute the Textbook Commission; and provided that one member of said board shall have had at least three years' experience in teaching in the schools of Texas below the high school within the past five years; and provided further that no two of said appointed members shall reside in the same county. In the event any member after appointment acquires a residence in the same county as another member, said acquisition of residence shall operate to vacate his position as a member of the commission. The term of office of the appointive members shall be for a period of not more than two years and shall be concurrent with the term of office of the official making the appointment.

No person who has acted as a textbook agent for any author or textbook publishing house, or who has been an author or associate author of any book published by any house, or who owns stock in any school book depository, or who has directly or indirectly been concerned in the authorship of any textbook or in any textbook publishing house shall be eligible to appointment on the Textbook Commission. Any vacancy occurring on said commission from any cause shall be filled by appointment by the Governor from the list submitted under the provisions of this Act. The Governor shall, within 10 days, make the appointment of the members of the commission who immediately shall be called together in special session to adopt such rules, regulations and by-laws to govern the action of the commission, as it may deem proper, not inconsistent with other provisions of this Act.

Sec. 2. Each member of the commission before entering upon his duties as a member of the commission, shall make out and file with the Secretary of the State an affidavit that he is not and has not been directly or indirectly interested in or connected with or employed by any publishing house, person, firm or corporation submitting any books for adoption, or in any books offered for adoption, or in any books adopted, nor is he connected in business with any person or agent representing such house, person, firm or corporation to whom any contract may be awarded by said commission during the term and duration of said contract, nor does he own stock in any school book depository, and that he is not connected in any business with any person or agent representing such house, firm or corporation, and that he will not become so interested and will not accept any position as agent or representative of any person, firm or corporation who may submit any books for adoption or to whom any contract may be awarded by said commission during the term and duration of said contract.

Sec. 3. The Governor shall be chairman of the commission, and the State Superintendent of Public Instruction shall be its secretary, who shall keep a complete record of all proceedings of the commission. The commission shall meet annually on the second Monday in October, and

at such other times and places as may be designated by the chairman for the purpose of considering and extending contracts, the making of new adoptions, and the keeping and operation of a complete system of uniform textbooks for the public free schools of this State in accordance with the provisions of this Act. The commission shall keep a minute book for its proceedings and on every action of the commission an "aye" and "nay" vote of the members thereof shall be required, and such minute book shall be kept in the office of the Superintendent of Public Instruction, and shall be open to public inspection, and no adopted text shall be suspended or substituted or new text adopted except by the affirmative vote of two-thirds of the members of the commission.

Sec. 4. It shall be the duty of the commission to meet annually on the second Monday in October, and at such other times as it may be called together by the chairman, for the purpose of considering the advisability of continuing or discontinuing, at the expiration of all current contracts, any or all of the State adopted text-books in use in the public schools of Texas, and of making such adoptions as are provided for in Section 5 of this Act. Before making any change in the adopted series, however, the commission shall, upon thorough investigation, satisfy itself that a change is necessary for the best interests of the school children and that such change is consistent with financial economy. Provided that unless new texts better suited to the requirements of the schools and of a price and quality satisfactory to the commission are offered to supplant existing texts, then the commission shall renew the existing contract or contracts for such a period as may be deemed advisable not to exceed a period of six years. Provided, that wherever the contractor supplying any book agrees to renew the contract on the same terms for a period of not less than two years or more than six, the members of the commission shall give preference to the offer of the company holding the contract if in their judgment they shall thereby secure as good or better books at a lower price than by making a different contract, and it shall always be lawful for them to renew a contract on such terms as in their judgment may be for the best interests of the State. The con-

tracts for the total number of different texts adopted shall be so arranged, in adoptions taking place after the passage of this Act, that contracts on not more than one-sixth of the total number of different basal subjects shall expire in any one year, or shall be changed in any one year. The series of copy books and the series of drawing books shall each be considered as one book. If no text or texts on any prescribed subject or subjects are submitted by any particular publisher or publishers that meet the requirements of the schools, as may be determined by the commission, then it shall be the duty of the chairman of the commission to instruct the secretary of the commission to investigate the book markets for the purpose of securing bids with a view of providing at most reasonable price or prices possible the best available texts on any and all subjects that are to be adopted by the commission for the schools of Texas.

Sec. 5. The Textbook Commission authorized by this Act shall have authority to select and adopt a uniform system of textbooks to be used in the public free schools of Texas, and the books so selected and adopted shall be printed in the English language, and shall include and be limited to textbooks on the following subjects: spelling, reading, English language and grammar, geography, arithmetic, physiology-hygiene, civil government, history of the United States, (in which the construction placed on the Federal Constitution by the father of the Confederacy shall be fairly represented), history of Texas, agriculture, a system of writing books, a system of drawing books, and may also, if deemed necessary, adopt a geography of Texas and a civil government of Texas, provided that none of said textbooks shall contain anything of a partisan or sectarian character, and that nothing in this Act shall be construed to prevent the teaching of German, Bohemian, Spanish, French, Latin or Greek in any of the public schools.

Said Textbook Commission shall adopt a multiple list of books for use in the high schools of the State, said multiple list including not fewer than three nor more than five textbooks on the following subjects: Algebra, plane geometry, solid geometry, general science, biology, phys-

ics, chemistry, a one-year general history, ancient history, modern history, American history, Latin, Spanish, physical geography, English composition, history of American literature, history of English Literature; and for each high school branch of study any one textbook of said multiple list adopted for that subject may be selected for and used in any high school of the State as the textbook on such branch in that high school; but when such book is so chosen by the local authorities from the multiple list adopted, such book shall be continued in that high school for the entire five years of the adoption period. Provided, however, that the multiple list herein provided for shall apply to all high schools classed by the Department of Education as high schools of the first class. For use in all other high schools a uniform system of textbooks on each subject mentioned above shall be selected by the Commission; and, provided further, that in any city or independent school district having more than one high school of the first class said city or independent school district shall adopt from said multiple list for use in each of said schools the same books and shall use said books so adopted for a period of not less than five years.

Specific rules as to the manner of the selection of books by the high school shall be made by the State Textbook Commission.

The Commission, as herein provided for, shall adopt textbooks in accordance with the provisions of this Act for every public free school in this State and no public free school in this State shall use any textbook unless same has been previously adopted and approved by this Commission; and the Commission shall prescribe rules under which all textbooks adopted and approved shall be introduced or used by or in the public schools of the State.

In the event as many as three suitable texts are not offered for adoption on any one subject, then the Commission may select fewer than three texts.

Provided that existing contracts shall not be affected by any adoptions made under this Act.

Sec. 6. The Textbook Commission shall have authority to adopt supplementary readers for the first seven grades and such other supple-

mentary books for use in said elementary grades as it may deem advisable; provided, that said other supplementary books may be arranged in a series by said Commission, one book in each series for each elementary grade, and that contracts for not more than four series of supplementary books and readers, inclusive, as provided for in this section, may be in force at the same time; provided, further, that such series of those supplementary books shall only be used to supplement the basal book on reading and, in no case shall supplemental books be adopted for other subjects. Each bidder presenting such book or books shall state at what price it or they are offered; provided, however that no supplementary books shall be purchased and used to the exclusion of the books prescribed under the provisions of Section 5 of this Act, but full use must be made in good faith of the books selected by said Commission under Section 5 before any of the supplementary books provided for in this section shall be purchased and used.

Sec. 7. The Textbook Commission may at any time require such changes, amendment or additions to the book or books adopted as in their judgment will be for the best interest of the public schools of this State; and contracts for books under the provisions of this Act shall be made upon the distinct condition that the Commission, provided for in this Act, may, during the time for which the books are adopted under this Act, upon giving one year's previous notice to the publishers thereof, order such changes, amendments and additions to the book or books so adopted as such Textbook Commission may determine; provided, also, that if in the judgment of the Commission such changes or revisions make it impractical for the revised books to be used in the same class with the old books, the publishers will be required to give the same exchange terms as were given when the books were first adopted, and such exchange period shall extend two years from the time the revised books are first put into use in the schools; provided, that nothing in this section shall be construed so as to give said Commission power or authority to abandon any book or books originally contracted for.

Sec. 8. When books are to be se-

lected and adopted under the provisions of this Act the chairman of the commission shall for thirty days by notices in the public press and by written notices mailed to all persons, firms or corporations in whose behalf such notices may be requested, in which notices the time and place of such selection shall be set out and thus advertised that sealed bids will be received at the time and place fixed in said notice and not later than the second Monday of October of each year. Each bid shall specifically state at what price each book will be furnished, and shall be accompanied by specimen copies of each book offered, and it shall be required that each bidder deposit with the Treasurer of the State of Texas such sum of money as the commission may require, to be not less than five hundred dollars nor more than twenty-five hundred dollars, according to the value of the books each bidder may propose to supply. Such deposits shall be forfeited to the State absolutely if such bidder so depositing shall fail to make and execute such contract and bond as herein required within such times as the commission may require, which time shall be specified in the notice advertised.

Sec. 9. All bids submitted under Section 8 of this Act shall be sealed and deposited with the chairman of the commission to be delivered by him in the commission in session and for the purpose of considering the same, and shall be opened in the presence of the commission; provided that the commission shall not consider a bid of any publisher of school books who has failed to pay the tax due and payable to the State of Texas under Chapter 148 of the Acts of the Twenty-ninth Legislature, and who has failed to make the affidavit required by this Act. Each individual, firm or corporation submitting bids to the commission for its consideration, or presenting books for adoption under the provisions of this Act, shall file with the Secretary of State an affidavit giving the names of all people employed to aid in any way whatsoever in securing the contract, and that no member of the commission is in any manner interested, directly or indirectly, in such individual, firm or corporation. If the fact should be disclosed that any member of the commission is so interested it shall work a disqualification of such member of the commission, and he shall not be permitted to serve

on the commission, or if it should further be disclosed that any member of the commission is or has been interested in any book or series of books as the author or associate author, or in any way pecuniarily interested in any book or series of books published by any house bidding for this contract, or offered for use in the public schools of this State, or that any member of the commission is interested in any such book or series of books in any manner, such fact shall likewise work as a disqualification of such member, and he shall not be permitted to serve upon the commission.

Sec. 10. It shall be the duty of the commission to meet in the time and place mentioned in the notice and advertisement, and it shall then and there open and examine the sealed proposals received; and it shall be the duty of the commission to make a full and complete investigation of all the books and bids accompanying the same. The textbooks shall be selected and adopted after a careful examination and consideration of all books presented, and the books selected and adopted shall be those which in the opinion of the commission are most acceptable for use in the schools, quality, mechanical construction, paper, print price, authority, literary merit and other relevant matters being given such weight in making its decision as the commission may deem advisable. The commission shall proceed without delay to adopt for use in the public schools of this State textbooks on all branches hereinbefore mentioned; provided, that if the bids submitted to said commission should not be satisfactory to said commission, they may postpone the selection of such books or a part thereof to such time as they may select, and after the same is re-advertised, new bids may be received and acted on by such commission as provided for in the Act; provided, that no textbook shall be adopted until it has been read carefully and examined by at least a majority of the commission.

Sec. 11. All publishers submitting bids under the provisions of this Act shall submit their bids in two forms, one in which is stated the allowance made for the books then in use and the property of the State, when offered in exchange for the new books adopted under this Act; the other without stating the allowance for said books, which books would remain the property of the State; provided, that

said allowance and condition for exchange if agreed to and accepted by the State shall be enforced only during the two scholastic years following a change in books.

Sec. 12. Every contract entered into with a publisher for the adoption of any book or books shall contain a provision that the commission herein provided for may, during the life of the contract, upon giving one year's previous notice to the publishers of such book or books, order such changes, amendments and additions to the book or books so selected and adopted as in the discretion of said commission shall keep them up to date and abreast of the times; provided that such revisions shall not be made oftener than once in two years.

Sec. 13. The bidder to whom any contract may have been awarded shall execute a good and sufficient bond payable to the State of Texas in the sum of not less than ten thousand (\$10,000.00) dollars for each basel book adopted under the provisions of this Act; and a good and sufficient bond payable to the State of Texas in the sum of not less than three thousand (\$3,000.00) dollars for each supplementary textbook adopted under the provisions of this Act; provided further, that the commission is hereby given authority to require bond in such further and additional sums as it may deem advisable, said bond to be approved by the commission; such bond to be conditioned that the contractor shall faithfully perform all the conditions of the contract; the contract and bond shall be prepared by the Attorney General, and be payable in Travis County, Texas, and shall be deposited in the office of the Secretary of State. For the purpose of securing satisfactory bond a series of pamphlet writing books shall be considered as one basel book and a series of pamphlet drawing books shall be considered as one basel book. The bond shall not be exhausted by a single recovery thereon, but may be sued upon from time to time until the full amount thereof is recovered; and the Texas State Textbook Commission may, at any time, on twenty days' notice, require a new bond to be given, and in the event the contractor shall fail to furnish such new bond the contract of such con-

tractor may, at the option of the Texas State Textbook Commission, be forfeited.

Sec. 14. All contracts with publishers for the furnishing of books hereunder shall further stipulate and bind such publishers that they will not hereafter during the first twelve months after the date of the respective contracts furnish or offer to furnish and distribute the same book or books under contract with any other State, county or school district in the United States at a lower price than that which said publishers agree to furnish and distribute the same books under the contracts executed pursuant to this Act, unless such publishers respectively shall immediately give such lower price to the beneficiaries of the contracts executed hereunder, provided, that in the event any such contract is made it shall be the duty of the Attorney General to institute suit upon the bond hereinabove provided for, for a recovery on behalf of the State of the liquidated damages due under and as provided for in Section 28 of this Act, and proof of a violation of this provision in any particular shall be prima facie evidence of liability in any such suit brought hereunder, and in case that any contractor who has a contract to furnish a book or books for the State under the provisions of this Act shall at any time within twelve months after the date of this adoption contract with any other state, county or school district in the United States to furnish and distribute the same book or books at a lower price than fixed in accordance with the provisions of this Act, under similar conditions of sale and distribution as may be decided by the Texas State Textbook Commission, such lower price shall immediately be given to the State of Texas, and for the breach of any of the conditions and stipulations contained herein or in the respective contracts, the contract may be forfeited and the contractors shall be liable to the State of Texas in liquidated damages in the full amount of the bond; and it shall be the duty of the Attorney General to bring suit on the bond of such contractors for such liquidated damages as provided for in Section 28 hereof.

Sec. 15. No book or books shall be purchased from any person, firm

or corporation who is a member of or connected with any trust; and in the event it is established that this provision has been violated, such violation shall be held to be fraud and collusion as contemplated under Section 28 of this Act, and the Attorney General shall bring suit upon the bond of such person, firm or corporation, and upon proof of such violation shall recover the liquidated damages as provided for in said Section 28 hereof, as defined by the laws of this State, and a sworn affidavit that said person or corporation is not connected either directly or indirectly with a trust shall be required, and said affidavit shall be filed with said commission. Before proceeding to adopt books as provided under the provisions of this Act, the commission shall require all persons, firms and corporations bidding for a contract to file with the commission a sworn statement on or before the date selected by the commission for receiving sealed bids, stating whether said person, firm or corporation is interested, or whether said person, firm, or any member thereof, or any individual stockholder of such corporation is interested or acting as a director, trustee or stockholder, either directly or indirectly or through a third party, or in any manner whatsoever in any other textbook publishing house, and this statement shall be sworn to by such person, a member of such firm or the president, secretary, and each of the directors of said corporation. All firms or persons bidding for a contract or supplying books shall present a sworn statement signed by all its members showing the names of all members of said firm, and whether any other person, firm or corporation has any financial interest in said firm, and also whether any individual member or members of said firm have any financial interest in any other textbook publishing firm or corporation or textbook publishers; provided further, that the Commission shall require all corporations, or persons, or firms to file with the Governor attested copies of all written agreements entered into and existing between them and others engaged in the textbook publishing business, and if on the opinion of the commission such written agreements or other facts adduced are violations of the anti-trust law

of the State of Texas, or opposed to public policy, the bids of such houses shall not be considered by the commission.

Sec. 16. Each contract shall be duly signed by the publishing house or its authorized officers and agents; and if it is found to be in accordance with the award and all the provisions of this Act, and if the bond herein required is presented and duly approved, the Commission shall approve said contract and order it to be signed on behalf of the State by the Governor in his capacity as chairman. All contracts shall be made in duplicate, one copy to remain in custody of the Secretary of State and be copied in full in the minutes of the meeting of the Commission in a well-bound book, and the other copy to be delivered to the company or its agent.

Sec. 17. When any person has been awarded a contract and he has filed his bond and contract with the Commission and the same has been approved, the Commission shall make an order on the Treasurer of the State reciting such fact, and thereupon the Treasurer shall return the deposit of such bidder to him; but if any successful bidder shall fail to make and execute the contract and bond as hereinbefore provided, the Treasurer shall place the deposit of such bidder in the State Treasury to the credit of the available school fund, and the Commission shall readvertise for other bids to supply such books which said bidder may have failed to supply. All unsuccessful bidders shall have their deposit returned to them by the State Treasurer as soon as the Commission has decided not to accept their bids.

Sec. 18. As soon as the State shall have entered into the contract for the furnishing of books for the public schools of this State under the provisions of this Act, it shall be the duty of the Commission to issue its proclamation of such facts to the people of the State; and the State Superintendent of Public Instruction shall carefully label and file away the copies of the books adopted as furnished for examination to the board; and such copies of such books shall be securely kept and the standard of quality and mechanical excellence of the book or books so furnished under this Act shall be maintained in said books so fur-

nished under contract authorized by this Act during the continuance of the contract.

Sec. 19. As soon as practical, after the adoption of the textbooks provided for in this Act, the Superintendent of Public Instruction shall address a circular letter to the county superintendent and to the president of the school boards in independent school districts, which circular letter shall contain a list of all the books with their respective prices, together with such other information as he may deem advisable.

Sec. 20. All parties with whom the contracts have been made shall establish and maintain in some city in the State a depository where a stock of their goods to supply all immediate demands shall be kept; and contractors not maintaining their own individual or separate State agencies or depositories shall maintain a joint agency or depository to be located at some suitable and convenient distributing point. Any person, dealer or school board in any county in the State may order from the central depository; provided that the price of books so ordered shall be paid in advance. Upon the failure of any contractor to furnish the books as provided in the contract and in this Act, the county judge in the county wherein such books have not been furnished shall report the fact to the Attorney General, and he shall bring suit on account of such failure in the name of the State of Texas in the district court of Travis County, and shall recover on the bond given by such contractor for the full value of the books not furnished as required, and in addition thereto the sum of one hundred dollars, and each day of failure to furnish the books shall constitute a separate offense, and the amounts so recovered shall be placed to the credit of the available school fund of the State. Any unorganized county shall be furnished from the same agency as the county to which said unorganized county is attached for judicial purposes in the same manner as such organized county.

Sec. 21. The contract price of each book shall be plainly printed on the inside of the back of each book, together with the following notice, "The price marked hereon is fixed by the State, and any deviation therefrom should be reported to the State Superintendent of Public Instruction"; provided this notice may

be waived by the State Board of Education the last year of the contract.

Sec. 22. The books adopted by the commission under the provisions of this Act shall be introduced and used as textbooks to the exclusion of all others in public free schools of this State for such period of years as may be determined by the commission, not to exceed six years in any case; provided the right to the exclusive use of new books during the first two years of the term of any contract may be waived by the contracting parties to provide for gradual introduction of the new books, and provided further that nothing in this Act shall be construed to prevent or prohibit the trustees of school districts from purchasing textbooks with local maintenance funds and furnishing free textbooks to the students in the event that no contracts are made by the State.

Provided that said commission shall not contract for any book of which any member of the nominating committee, or any member of said commission is or may be author.

Sec. 23. Any school trustee who shall prevent or aid in preventing the use in any public school in this State of the books or any of them as adopted under the provisions of this Act, or any teacher in any public school in this State who shall wilfully fail or refuse to use the said books shall be guilty of a misdemeanor and upon conviction shall be fined a sum of not less than five dollars and not more than fifty dollars for each offense, and each day of such wilful failure or refusal by said teacher or wilful prevention of the use of the books by said trustee shall constitute a separate offense.

Sec. 24. No trustee or teacher shall ever receive any commission or rebate on any books used in the schools with which he is concerned as such trustee or teacher, and if any such trustee or teacher shall receive or accept any such commission or rebate he shall be guilty of a misdemeanor and upon conviction he shall be fined not less than fifty dollars and not more than one hundred dollars.

Sec. 25. No person not the author or publisher or the bona fide permanent and regular employee of such publisher shall appear before such Text Book Commission in behalf of any book submitted to the commission for adoption, or seek to influence the members thereof.

Sec. 26. When the supplementary books other than those selected by the Textbook Commission are used, they shall be furnished at a price fixed by the trustees of the school in which they are used and approved by the State Superintendent of Public Instruction, which price in no case shall be greater than the publishers list price; and if any teacher or trustee shall knowingly and directly or indirectly receive from any pupil a greater price therefor than the price fixed, he shall be guilty of a misdemeanor, and on conviction shall be fined not less than fifty dollars nor more than one hundred dollars.

Sec. 27. The State may, in a suit to be instituted by the Attorney General, cancel any contract entered into by virtue of the provisions of this Act for fraud, or collusion, or material breach of contract upon the part of either party of the contract, or any member of the commission, or any person, firm or corporation or their agents making said bond or contract; and for the cancellation of any such contract, the Attorney General is hereby authorized to bring suit in the proper court of Travis County, and in case of the cancellation of any contract as provided for, the damages are fixed at not less than the amount of said bond, to be recovered as liquidated damages in the same suit cancelling said contract; and on account of the difficulty of determining the damages that might accrue by reason of such fraud, collusion or material breach, and cancellation of such contract, the full amount of the bond given by the contractor shall be considered as liquidated damages to be recovered out of said bond by the State at the suit of the Attorney General, and every contract that shall contain a clause to this effect.

Sec. 28. Any person, firm or corporation with whom a contract has been entered into under the provisions of this Act shall designate the Secretary of State of Texas as its or their agent, upon whom citation and all other writs and processes may be served in the event any suit shall be brought against such person, firm or corporation.

Sec. 29. The members selected upon said commission under the provisions of this Act shall receive as compensation for their services the sum of five dollars per day each while on active duty and actual traveling

expenses in going to and from the place of meeting, and in attending to the business of the commission, to be paid upon warrants drawn by the Comptroller under the direction and approval of the chairman of the commission; provided, that the Superintendent of Public Instruction be and is hereby fully authorized to employ one stenographer to assist in the clerical work of the State Textbook Commission, the pay of said stenographer to be paid out of the appropriation made for expenses of the Textbook Commission on account approved by the State Superintendent of Public Instruction.

Sec. 30. The State Board of Education is hereby authorized and empowered and it is made its duty to purchase books from the contractors of textbooks used in public free schools of this State and to distribute the same without other cost to the pupils attending such schools within this State in the manner and upon the conditions hereinafter set out.

Sec. 31. That in order to carry out the provisions of this Act the State Board of Education shall annually at a meeting designated by them each year, set apart out of the available free school fund of the State an amount sufficient to purchase and distribute the necessary school books for the use of the pupils of this State for the scholastic year ensuing.

Sec. 32. The State Textbook Fund of this State shall consist of the fund set aside by the State Board of Education from the available school fund as is provided for in this Act, together with all funds accruing from the sale of disused books and all moneys derived from the purchase of books from boards of school trustees by private individuals, by schools, or from any other source.

Sec. 33. The State Board of Education shall require from the State Superintendent on July first of each year a report as to the funds necessary for the purpose and distribution of other necessary expenses of school books for the regular school session of the following year, and said Board of Education shall have the power to set apart from the available school fund the estimated amount with 25 per cent additional, this additional sum to be used to meet emergencies or necessities caused by unusual increase in scholastic attendance or by unusual and unforeseen expenses and school conditions. Funds transferred

in the textbook fund shall remain permanently in this fund until expended, and shall not lapse to the State at the close of the fiscal year; provided, that the State Superintendent of Public Instruction shall be required to include in the aforementioned report to the State Board of Education a statement as to the amount of this fund which is unexpended, and said amount shall be considered by the board in determining the necessary expenditures for textbooks for the following year.

Sec. 34. The purchase and distribution of free textbooks for the State shall be under the management of the State Superintendent of Public Instruction, subject to the approval of the State Board of Education.

Sec. 35. All parties with whom book contracts have been made shall establish and maintain in some city in the State a depository where a stock of their goods to supply all immediate demands shall be kept; all contractors not maintaining their own individual or separate State agencies or depositories shall maintain a joint agency or depository to be located at some suitable and convenient distributing point, at which general depository each contractor joining in said agency shall keep on hand a sufficient stock of books to supply the schools of the State. Books to be purchased in accordance with the terms of this Act, shall be delivered by said depository, all packing, shipping, freight, express, mailing or other charges to be paid by said contractor or depository, to railway station at the town or city in which school is situated, or to railway station designated in the requisition; provided, that the depository shall not be required to fill orders by express or parcel post except such orders as may be defined by the State Superintendent of Public instruction as emergency orders. The cost above established freight rate for filling such emergency orders may be added to the price of the books so shipped; provided further, that if book contractors have complied with orders from the State Department of Education and have made prompt shipments as required by their contracts, that if the receivers of said shipments fail or refuse to take the shipments from the transportation companies, that the contractors will not be responsible for any demurrage in case of such failure.

Any person, school not controlled by the State, or dealer in any county in the State may order books from the said State agency, or depository and the books so ordered shall be furnished at the same rate and discount as are granted to the State; provided, that in such case the State depository or agency may require that the price of books so ordered shall be paid in advance. Upon the failure of any contractor to furnish the books as provided in the contract and in this Act, the county judge in the county wherein such books have not been furnished, shall report the fact to the Attorney General, and he shall bring suit on account of such failure in the name of the State of Texas in the district court of Travis County, and shall recover on the bond given by such contractor for the full value of the books not furnished as required, and in addition thereto the sum of one hundred dollars, and each day of failure to furnish the books shall constitute a separate offense, and the amount so recovered shall be placed to the credit of the State Textbook Fund.

Sec. 36. The school trustees of each district shall be designated as the legal custodians of the books, and shall have the power to make such arrangements for the distribution of books to the pupils as they may deem most effective and economical; provided, that no district shall have the power to make any regulation in regard to textbooks which is at variance with the provisions of this Act, or with the regulation of the State made by the State Superintendent of Public Instruction and approved by the State Board of Education.

Sec. 27. Books shall remain the property of the State, and after purchase through requisition according to the provisions of this Act, shall remain in the charge of the district school trustees as the legal custodians of the books. The district school trustees shall have the power to delegate to their employes such power as to requisitions and distributions of books and the management of books as in their judgment may be best, provided that such plans shall not be at variance with the provisions of this law, or with the State rules for free textbooks formulated by the State Superintend-

ent of Public Instruction and approved by the State Board of Education.

Sec. 38. One or more members or employes of each district board of trustees shall enter into bond in the sum of fifty per cent in excess of the value of the books consigned to them by the State, payable in Austin, Texas, to the Governor of the State of Texas, or his successors in office, said bond to be approved by the county judge of the county in which the school is situated, and by the State Superintendent of Public Instruction and deposited with the State superintendent, conditioned on the faithful discharge of his duties under his employment and under this Act, and that he or they will faithfully account for all books coming into his or their possession and for all moneys received from the sales thereof; provided, that all moneys accruing from the forfeiture of the bonds shall be deposited by the Governor to the credit of the State Text Book Fund.

Sec. 39. Requisitions for books shall be made in the following manner: On the first day of April each teacher shall make report to the principal of the maximum attendance of his or her grade, or school, if not a graded school. If the school has only one teacher, said report as to the maximum attendance of pupils of each grade of work shall be made by the teacher to the board of school trustees and to the county superintendent. Reports as to the maximum attendance for the school shall be made not more than one week subsequent to the first school day of April by the principal to the city or town superintendent or by the principal to the county superintendent if the school is not situated in a city or town. The city or town superintendent of schools shall compile reports of principals and make report to the State Superintendent of Public Instruction. The county superintendent shall compile reports of the rural schools in his county and make report to the State Superintendent of public Instruction. Books needed by the rural schools shall be requisitioned and distributed entirely through the office of the county superintendent. The duties of the county superintendent with reference to the care and distribution of textbooks shall be subject to the ap-

proval of the county board of trustees and the State superintendent. Reports as to the maximum attendance of each school under their direction shall be made to the State Superintendent of Public Instruction by the aforesaid superintendents of cities, towns, and counties not later than April 25, provided that should the school close before this date, it shall be the duty of the teacher to file with the county superintendent and with the board of school trustees reports complying with the provisions of this Act. Blank forms for reports and for requisition of textbooks shall be furnished to all boards of school trustees by the State Department of Education. Requisitions for books for a subsequent session shall be based on said reports as to the maximum number of scholastics in attendance the preceding school session, plus an additional ten per cent, and such requisition shall be made through the State Superintendent of Public Instruction and by him furnished to the State depository designated by contractors of books not later than June 1 of each year, provided that in cases of unforeseen emergency the State depository shall fill small orders for books on requisition approved by the State Department of Education. One copy of each textbook used in the work taught by the teacher shall be issued by the school trustees, or their representatives, to each teacher as a desk copy, such books to be returned to the trustees or their representatives at the close of the session.

Sec. 40. Bills for text books purchased by the State on requisitions as provided for in Section 40 of this Act shall be paid by warrants on the State Treasury made by the Comptroller on receipt of bills approved by the State Superintendent of Public Instruction. Such payment shall be made within ninety days from date of delivery, and if payment be delayed thereafter, six per cent per annum shall be added until date of payment.

Sec. 41. Teachers and school officers must make such reports as to the use, care and condition of free textbooks as may be required by the local trustees or by the State Department of Education. The salary for any month of any teacher or employe who neglects to make such report at the proper time may be

withheld until each report be received in a condition satisfactory in form and content. Textbooks shall be subject to inspection by any inspector or agent authorized by those having charge of the local textbook service, or authorized by the State Superintendent of Public Instruction, subject to the approval of the State Board of Education; provided, that inspectors authorized by the State Department of Education shall be those in regular employment as high school inspectors, rural school inspectors, or inspectors of vocational education.

Sec. 42. Specific rules as to the requisition, distribution, care, use, and disposal of books may be made by the State Superintendent of Public Instruction, subject to the approval of the State Board of Education; provided, that such rules shall not conflict with the provisions of this Act, or with the uniform textbook law under the terms of which contracts for supplies, books are made with the publishers or with the terms of said contract. No teacher or employe of the school engaged in the distribution of textbooks under this law as agent or employe of the State, or of any county or district in the State shall, in connection with this distribution, sell or distribute, or in any way handle, any kind of school furniture or supplies, such as desks, stoves, blackboards, crayons, erasers, pens, ink, pencils, tablets, etc.

Sec. 43. All books shall have printed labels on both inside covers. Each school shall number all books, placing the number on these labels. All teachers shall keep a record of the number of all books issued to each pupil. All books must be covered by the pupil under the direction of the teacher. Books must be returned to the teacher at the close of the session, or when the pupil withdraws from school. Each pupil, or its parent or guardian shall be responsible to the teacher for all books not returned by the pupil, and said pupil not returning all books delivered to him or her shall not be entitled to the benefits of this Act until said books are paid for by said parent or guardian.

Local boards of trustees shall make provision for the fumigation of books before the reissue of the books. Covers of all books shall be removed before reissue, and the pupil to

whom the books are issued shall replace cover under the direction of the teacher.

Sec. 44. Books may be bought from the local boards of trustees by pupils or parents of pupils attending the public schools of the State, said board to furnish the books at the retail contract price. Any book may be purchased from the State depository designated by the contractor holding the contract for said book, by State institutions or by private schools, or church schools, such purchase to be made on the same terms as those given to the State for the same book. All money accruing from said sales of books by district boards of school trustees shall be forwarded to the State Textbook Fund not later than one month after the sale.

Sec. 45. The State Superintendent of Public Instruction, with the approval of the State Board of Education, may provide for the disposition of such textbook as are no longer in a fit condition to be used for purposes of instruction, or for discarded books remaining the property of the State. In case of the disuse of books in fair condition, inspectors of the State Department of Education may require the continuance of the use of said books.

Sec. 46. Complaints in regard to textbook service shall be made both to the State Superintendent and to the State depository designated by contractor to the books. In case such complaint does not receive reasonably prompt attention complaint shall be taken to the county judge, who shall proceed in accordance with the provisions of this Act. Trustees of unorganized counties shall make complaint to the county judge of the county to which said unorganized county is attached for judicial purposes.

Sec. 47. Requisitions for supplementary readers and books may be made at convenient times during the session, but must be made within one month in advance of the time the books will be needed, and shall be issued according to the rules prescribed by the State Board of Education.

Sec. 48. A wilful violation of any provision of this Act by any person shall be a misdemeanor punishable by fine of not less than \$5.00 nor more than \$100.00.

Sec. 49. Provisions as to payment of expenses of operation. All neces-

sary expenses incurred by the operation of this Act incident to the enforcement of this law shall be paid from the State Textbook Fund, herein provided for, upon bills approved by the State Superintendent of Public Instruction, and shall be paid upon warrants drawn by the Comptroller upon the Treasury of the State.

Sec. 50. Should the courts declare any section or provision of this Act unconstitutional, such decision shall affect only the section or provisions so declared to be unconstitutional, and shall not affect any other section or part of this Act.

Sec. 51. The provisions of this Act are intended to furnish a complete plan for the adoption, purchase, distribution and use of free textbooks to be supplied to the public free schools of the State. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 52. The fact that the present law governing the adoption, purchase and distribution of free textbooks is confusing and the fact that large numbers of textbooks are now being distributed by the State to the public free schools, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

With these amendments, changes and recommendations we respectfully submit that House Bill No. 101, with the amendment herein stated and provided, and with the recommendation herein made, should be adopted and do pass.

LAIRD,
RUNGE,
WESTBROOK,
WESTER,

On the part of the House.
BOWERS,
WIRTZ,
REID,
WITT,

On the part of the Senate.

Senator Bowers moved to adopt the above report, and after discussion, Senator Price moved as a substitute, that the report be rejected and the committee requested to further consider the matter.

Senator Bowers moved to table the motion to reject, which motion was adopted, by the following vote:

Yeas—16.

Bowers.	Parr.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Strong.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Lewis.	Witt.
Parnell.	Wood.

Nays—7.

Berkeley.	Pollard.
Bledsoe.	Price.
Moore of Hunt.	Smith.
Moore of Cooke.	

Absent.

Hardin of Erath.	Stuart.
Miller.	Wirtz.
Russek.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

The report was then adopted.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 514, A bill to be entitled "An Act to create the Conroe Independent School District in Montgomery County, Texas, defining its boundaries, to provide for the election of trustees; providing for the retention in office of the present board of trustees of the Conroe Independent School District, and providing for the abolition of all other boards of trustees of any school district included within the district hereby created; provided for the raising of revenue, issuing bonds, maintaining public free schools; providing for the means of transportation of the school children in said district; to provide for the establishment of voting precincts and places for the holding of elections within said district; validating all issues of bonds heretofore voted and made; declaring valid and continuing in force all maintenance taxes heretofore voted and

levied; providing for an election to determine (1) whether the entire districts is a whole as herein created shall assume all outstanding bonded indebtedness, (2) whether all property within the Conroe Independent School District, as created by this Act shall be subject to all special school taxes heretofore voted and levied by the Conroe Independent School District; repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 520, A bill to be entitled "An Act to create the Plymouth Independent School District in Collingsworth County, Texas, including therein the present Plymouth Independent School District No. 17 of Collingsworth County; providing a board of trustees therefor, vesting said Plymouth Independent School District board of trustees with all the rights, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for the validation of all current contracts, taxes and bond issue of the said Plymouth Independent School District No. 17, as the subsisting obligations and Acts of the Plymouth Independent School District as created by this Act, and declaring an emergency."

H. B. No. 522, A bill to be entitled "An Act to create the Bluffdale Independent School District in Erath County, Texas, including therein the present Bluffdale Independent School District No. 8, of Erath County; providing a board of trustees therefor; vesting said Bluffdale Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for the validation of all current contracts, taxes and bond issues of the said Bluffdale Independent School District No. 8, as the subsisting obligations and Acts of the Bluffdale Independent School District as created by this Act; providing for an election to determine as to the assumption of outstanding indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency."

H. B. No. 577, A bill to be entitled "An Act to amend Section 11, Chapter 16 of the Local and Special Laws enacted by the First Called Session of the Thirty-seventh Legislature in 1921, same being a special road law for Liberty County, by adding thereto

Section 11a, to permit the issuance of bonds by Liberty County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act creating and incorporating the Willow Wells Independent School District, in Terry County, out of territory now composing Willow Wells Common School District No. 14 in said county as heretofore created, defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefore; providing for an assessor and collector of taxes thereof; providing for a board of equalization for said district; providing that all outstanding obligations and indebtedness of said Common School District No. 14 in Terry County shall be assumed by and become binding obligations of said Willow Wells Independent School District, providing for the validation of all such obligations and indebtedness; continuing in force the certain maintenance tax heretofore voted in said Common School District No. 14; providing that title to all public free school property within said territory shall vest in said Willow Wells Independent School District; providing for the election and terms of office of trustees of said Willow Wells Independent School District, and declaring an emergency."

The House has granted the request of the Senate for a free conference committee on S. B. No. 310. The following committee is appointed on part of the House: Raymer, Smith of Travis, Frnka, Teer and Barron.

The following committee is appointed on part of the House in lieu of the committee released on S. B. No. 3: Runge, Finlay, Sinks, Laird and Westbrook.

The House refuses to concur in Senate amendments to H. B. No. 94, and requests the appointment of a free conference committee to adjust the differences. The following committee is appointed on part of the House: Irwin, Bartlett, Maxwell, Alexander of Bastrop and McDonald.

H. C. R. No. 36, extending thanks for trip to the Rio Grande Valley.

H. C. R. No. 37, requesting the

Governor to offer a reward for the arrest and conviction of the party or parties who assaulted Hon. T. K. Irwin.

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House bills were laid before the Senate, read several times first time, and referred to appropriate Committees:

H. B. No. 552, referred to Committee on Educational Affairs.

H. B. No. 602, referred to Committee on Judicial Districts.

H. B. No. 184, referred to Committee on Finance.

H. B. No. 509, referred to Committee on Educational Affairs.

H. C. R. No. 37, referred to Committee on Finance.

H. B. No. 514, referred to Committee on Educational Affairs.

H. B. No. 520, referred to Committee on Educational Affairs.

H. B. No. 522, referred to Committee on Educational Affairs.

H. B. No. 577, referred to Committee on Highways and Motor Traffic.

H. B. No. 486, referred to Committee on Educational Affairs.

House Bill No. 94.

The Senate granted the request of the House for a free conference committee on H. B. No. 94. The Chair appointed the following on part of the Senate: Senators Lewis, Fairchild, Strong, Parr and Parnell.

House Concurrent Resolution No. 36.

The Chair laid before the Senate, H. C. R. No. 36, a resolution thanking the citizens of the Rio Grande Valley for the recent trip.

The resolution was read and adopted.

Senate Bill No. 279.

The Chair laid before the Senate, on third reading,

S. B. No. 279, A bill to be entitled "An Act to prevent the stealing and disposal of motor vehicles; to provide certificate of title to owners of motor cars; to provide water-proof container and carrier for said certificate of title; repealing all laws in conflict herewith; providing penalties for the violation of the provisions of this Act."

The bill was read third time, and Senator Fairchild offered the following amendments, which were adopted, by the necessary two-thirds vote.

1. Amend the amendment to S. B. No. 279, Section 1, page 702, of the Senate Journal, by striking out the words and figures "Number said vehicle carried for 1925," and by inserting in lieu thereof the words "License number said motor vehicle then carries, if any."

2. Amend the amendment to S. B. No. 279, Section 2, page 702, of the Senate Journal, by adding the following at the end of said Section 2:

"Provided, that if said motor vehicle so traded or sold had theretofore been registered under the provisions of this Act and has a permanent license number under the terms of this Act, the two copies of said last mentioned application shall be forwarded or delivered to the tax collector of the county in which the title record of said motor vehicle is on file, and said tax collector shall issue the transfer papers as hereinafter provided, if he finds the party applying therefor to be entitled thereto. Provided further, that the provisions of this section shall not apply to sales by manufacturers to authorized dealers in new motor vehicles in this State."

3. Amend the amendment to S. B. No. 279, page 703, of the Senate Journal, Section 4, by striking out the words "of his residence" in the second paragraph of Section 4, and by inserting in lieu thereof the words "in which the title record of said motor vehicle is on file."

4. Amend the amendment to S. B. No. 279, page 703, of the Senate Journal by adding at the end of the third paragraph of Section 4, the following:

"Provided that the title certificate shall be good for the life of the car or for the life of license plate to which it belongs and shall not be issued anew from year to year, except in case of the transfer of ownership of the motor vehicle, as hereinafter provided."

5. Amend the amendment to S. B. No. 279, Section 4, page 703 of the Senate Journal, third paragraph of said section, by striking out the words "of his residence," and by inserting in lieu thereof the words "in which the title record of said motor vehicle is on file."

6. Amend the amendment to S. B. No. 279, page 703 of the Senate Journal, by adding at the end of the third paragraph of Section 4, the following:

"Provided that the party purchasing said motor vehicle shall attach to his application for transfer of license plate the certificate of title coming with said motor vehicle with proper assignment of the same signed by the seller of the motor vehicle, and the tax collector may require such other evidence of ownership in the applicant, in the way of affidavits of disinterested parties or otherwise, as the tax collector may determine, in order to satisfy him of such ownership, before he shall be required to issue such transfer of the license plate and to issue a new title certificate; provided, that when the title to said motor vehicle has passed by operation of law, the tax collector may issue such transfer and new title certificate upon receipt of proper and satisfactory proof of ownership."

7. Amend the amendment to S. B. No. 279, page 703, of the Senate Journal, by adding at the end of Section 4, the following:

"Provided, that any owner of a motor vehicle, the record of the title of which is on file in any county other than the county of his residence, may, on making proper proof to the State Highway Department of such fact, have the title record of his motor vehicle transferred to the county of his residence. Upon receipt of satisfactory proof of such fact by the State Highway Department, on forms to be provided by the department, it shall be the duty of the department to order the tax collector in whose office such title record is on file to transfer said files to the tax collector of the county designated, and it shall be the duty of such tax collector receiving such order to make the transfer of such files."

8. Amend the amendment to S. B. No. 279, page 705, of the Senate Journal, Section 13, by adding after the word "vehicle" the words "belonging to him or it."

9. Amend the amendment to S. B. No. 279, page 705, of the Senate Journal, by changing the period at the end of Section 14 to a comma and by adding at the end of said Section 14, the following: "or until any such motor vehicle has been

properly reported as having been stolen and the same has not thereafter been recovered."

Senator Parnell moved to lay the bill on the table, subject to call, which motion was lost.

The bill then passed finally, by the following vote:

Yeas—14.

Berkeley.	Moore of Cooke.
Bledsoe.	Parr.
Bowers.	Price.
Fairchild.	Strong.
Floyd.	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Wood.

Nays—6.

Davis.	Real.
Hardin of Kaufman	Reid.
Lewis.	Stuart.

Present—Not Voting.

Parnell.	Smith.
Pollard.	Witt.

Absent.

Hardin of Erath.	Russek.
Miller.	Wirtz.

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Senate Bill No. 410.

Senator Witt asked unanimous consent to take up S. B. No. 410.

The Chair laid before the Senate, on second reading,

S. B. No. 410, A bill to be entitled "An Act extending the term of office of the Educational Survey Commission, created by Act of the Thirty-eighth Legislature; to provide for the completion of the work of the said commission, including the preparation of a report embodying therein bills and resolutions for presentation to the Legislature; prescribing the powers and duties of the said commission; providing for filling vacancies in the commission; making an appropriation, and declaring an emergency."

The bill was read second time and passed to engrossment, by the following vote:

Yeas—15.

Bledsoe.	Hardin of Kaufman
Bowers.	Holbrook.
Davis.	Lewis.
Fairchild.	Parr.

Real.	Ward.
Reid.	Witt.
Triplett.	Wood.

Nays—7.

Berkeley.	Pollard.
Floyd.	Price.
Moore of Hunt.	Strong.
Moore of Cooke.	

Absent.

Hardin of Erath.	Smith.
Miller.	Stuart.
Parnell.	Wirtz.
Russek.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

S. B. No. 270,
H. B. No. 252,
H. B. No. 315,
H. B. No. 501,
H. B. No. 319,
H. B. No. 67,
H. B. No. 371,
H. B. No. 390,
H. B. No. 404,
H. B. No. 27,
H. B. No. 85,
H. B. No. 86,
H. B. No. 142,
H. B. No. 163,
H. B. No. 417,
H. B. No. 450,
H. B. No. 277,
H. B. No. 465.
H. C. R. No. 12.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 399, A bill to be entitled "An Act creating the Asherton Independent School District in Dimmit County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights and powers, privileges, duties and liabilities now

conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by Asherton Common School District No. 2 of Dimmit County, Texas, shall remain in full force and effect, and declaring an emergency."

H. B. No. 523, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than 17,000, according to the United States census of 1920, and which have an area of not less than 1060 square miles nor more than 1200 square miles, and which have assessed valuation of not less than \$10,000,000 and which do not contain a city or town of more than 7500, and declaring an emergency."

H. B. No. 554, A bill to be entitled "An Act creating Plemons Independent School District in Hutchinson County, Texas."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House bills were laid before the Senate read severally first time and referred to appropriate committees:

H. B. No. 399, referred to Committee on Educational Affairs.

H. B. No. 553, referred to Committee on State Affairs.

H. B. No. 554, referred to Committee on Educational Affairs.

Recess.

On motion of Senator Bledsoe, the Senate, at 4:40 o'clock p. m., recessed until 7:30 o'clock tonight.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

In Committee of the Whole.

In the absence of Chairman Wirtz, the Chair called Senator Bledsoe to the Chair to preside over the Committee of the Whole.

In the Senate.

The Senate convened as a Senate tee. presiding.

Senator Bledsoe, chairman of the committee of the whole, reported to the Senate that the committee had made progress.

Adjournment.

On motion of Senator Parr, the Senate, at 10 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 514, A bill to be entitled "An Act creating the Conroe Independent School District in Montgomery County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 6, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to to whom was referred

S. B. No. 346, A bill to be entitled "An Act to amend Article 637, Revised Civil Statutes of Texas, 1911, with reference to authorizing the incorporation of road districts and authorizing the same to sue and be sued, and authorizing the levying a tax for the payment of judgments, if cast in suit."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal only.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 445, A bill to be entitled "An Act creating and incorporating the Bullard Independent School District lying in the counties of Smith and Cherokee in the State of Texas; defining the boundaries thereof; pro-

viding for a Board of Trustees thereof; placing said independent district under the control of the General Laws governing independent districts; providing that no outstanding indebtedness of the Bullard independent District be invalidated; providing for the annexation of territory and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 442, A bill to be entitled "An Act to amend Section 1 of Chapter 71, Special Laws of the Thirty-eighth Legislature, Regular Session, the same being entitled 'An Act to amend Section 1 of Chapter 3, Local and Special Laws, Third Called Session Thirty-sixth Legislature, amending and revising the metes and bounds of the Moran Independent School District in Shackelford and Callahan Counties, Texas; and declaring an emergency,' so that said section shall hereafter read as herein set out, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 443, A bill to be entitled "An Act creating and incorporating the Naples Independent County Line School District lying in the counties of Morris and Cass in the State of Texas; defining the boundaries thereof, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred

S. B. No. 255, A bill to be entitled "An Act to amend Section 1 of H. B. No. 535, Chapter 155, of the General Laws of the State of Texas, passed by the Thirty-eighth Legislature at its Regular Session; fixing the rate of speed for motor vehicles upon the public highways of the State, and within the corporate limits of any of the incorporated cities or towns, and within the boundaries of towns and villages not incorporated; prescribing penalties for violations of the Act; repealing all laws or parts of laws in conflict with its provisions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 369, A bill to be entitled "An Act to change and prescribe the time for holding district court of the Thirty-first Judicial District of the State, and to conform all writs and process from such court to such changes, and to make all writs and process issued or served before this Act takes effect, including recognizance and bonds, returnable to the terms of court in the several counties in said district, as herein fixed, and to validate the summoning of grand and petit jurors, and juries; and providing for the continuation of court in session in said district when this Act takes effect, to the end of its term; and repealing all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 602, A bill to be entitled "An Act to fix the terms of court for the Sixth Judicial District in Fannin and Lamar Counties, providing for the convening of grand juries in Lamar County; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 309, A bill to be entitled "An Act to provide that money paid political party committees shall not be counted in the amount limited for campaign expenses; and to repeal all laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be printed in the Journal, and not otherwise.

MOORE of Hunt, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your on Committee on Educational Affairs, to whom was referred

H. B. No. 427, A bill to be entitled "An Act to create Neal Common School District in Tyler County, Texas, including therein the territory of the Common School District No. 36 of the said county; providing a board of trustees therefor, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 316, A bill to be entitled "An Act creating the Cyclone Common School District No. 9, in Bell County, Texas; fixing its boundaries by metes and bounds; dissolving and abolishing the old Common School District No. 9 in said county and State, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 441, A bill to be entitled "An Act to create the Montgomery Independent School District in Montgomery County, Texas; defining its boundaries; to provide for the election of trustees, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 440, A bill to be entitled "An Act to amend Chapter 75 of the Acts of the Third Called Session of the Thirty-sixth Legislature, creating the Emory Independent School District, by adding thereto Section 14, permitting adjoining territory to be incorporated in the Emory Independent School District, upon petition of qualified voters adjoining said school district, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 383 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 414 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 272 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 436 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 98 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 420 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 407 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 125 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 366 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 18 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 222 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 415 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 416 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 355 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 378 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 377 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 430 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 284 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 432 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 424

carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 406 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 334 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 425 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 292 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 283 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room.

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 293 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 403 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 426 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 380 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 371 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 9 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 268 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 172

carefully examined and compared, and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 279 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 350 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 75 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 4 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 433 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 421 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 365 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 427 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Bills Ordered Printed in Journal.

Committee Room,
Austin, Texas, March 7, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to who was referred

S. B. No. 309.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MOORE of Hunt, Chairman.

Committee Room,
Austin, Texas, March 6, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 346,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FLOYD, Chairman.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Monday, March 9, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Davis.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Miller.

Absent—Excused.

Bowers.

Fairchild.

Prayer by Dr. Jewett of Austin.
Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Excused.

Senator Miller was excused for today and tomorrow on account of important business on motion of Senator Smith.

Senator Bowers was excused for today on account of important business on motion of Senator Real.

Senator Fairchild was excused for today and tomorrow on account of important business on motion of Senator Floyd.

Porter Appointed.

The Chair announced the appointment of Robert Wells as porter to take place of one who had quit.

Simple Resolution No. 57.

By Senator Moore of Hunt:
Whereas, Hon. Ed. Westbrook of Sherman, former State senator from the Fifth Texas District, is now in the city; therefore,

Be it Resolved, That he be allowed the privilege of the Senate and that he be invited to address the Senate.

Moore of Hunt, Moore of Cooke, Parr, Parnell.

The resolution was read and adopted.

Former Senator Westbrook was escorted to the President's stand, and being introduced by Senator Bledsoe, addressed the Senate briefly.